

4. Any reply memorandum shall be filed within 14 days after the date of service of the memorandum in opposition, pursuant to S.D. Ohio Civ. R. 7.2(a)(2).

BRIEFING SCHEDULE FOR MOTION TO STAY

5. Defendant also believes it likely that it will move to stay litigation while the motion to dismiss is pending. Plaintiffs would oppose any such motion. Should Defendant move to stay, the Parties respectfully request that briefing on that motion to run concurrent with Defendant's motion to dismiss. In other words, the Parties respectfully request the same briefing schedule with respect to the motion to stay as they have requested with respect to the motion to dismiss.

NOTICE REGARDING PROPOSED CASE SCHEDULE

6. On September 29, 2021, we filed the Parties' Amended Joint Discovery Plan (ECF No. 35). Subsequently, counsel met and conferred about discovery issues. In the course of meeting and conferring, counsel realized that the parties did not have the same understanding of the purpose and intent of the limitations and dates reflected in the Amended Joint Discovery Plan.

7. Since that time, the Parties have continued to discuss case scheduling, and Plaintiffs have filed a Second Amended Complaint to add claims and classes, along with an additional Plaintiff. (ECF No. 38.)

8. In light of the foregoing, the Parties are working towards an agreement on a revised plan for discovery and a case schedule. They anticipate submitting a joint (or, if necessary, competing versions of a) proposed case schedule on or before December 14, once Defendant has decided on whether and to what extent it will move to stay.

Respectfully submitted,

DATE: November 29, 2021

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Classes*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above was filed electronically on November 29, 2021. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Beth A. Bryan